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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,843	03/22/2004	Gonzalo Romero-Matos	ROMERO	3027
7590 GONZALO ROMERO M APT #2 455 39TH AVE NORTH SAINT PETERSBURG, FL 33703-6118			EXAMINER HOFFMAN, SUSAN COE	
			ART UNIT	PAPER NUMBER
			1655	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
30 DAYS		01/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20070110


DATE MAILED:

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Commissioner for Patents

The reply filed on November 1, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant has not elected a **specific** species as required in the restriction requirement. Applicant's amended claims still contain five different species of capsaicinoid. The election of a specific capsaicinoid is required. An example of a proper election would be to elect the capsaicinoid depicted in figure 1a.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


1-16-07

Susan Coe Hoffman
Primary Examiner
Art Unit: 1655